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**TRANSMITTAL LETTER**

In re Application of:  
J. H. Wieringa et al.

Serial No: 10/564,193

Filing Date: January 6, 2006

Title: METHOD FOR THE PREPARATION OF  
ENANTIOMERICALLY PURE MIRTAZAPINE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Docket No.: 2003.796 US

Examiner: ---

Group Art Unit: ---

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First-Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on April 20, 2006

*Lynn Brush*  
Lynn Brush

☒ Transmitted herewith find the document(s) related to this application:

1. TRANSMITTAL LETTER IN DUPLICATE;
2. INFORMATION DISCLOSURE STATEMENT;
3. PTO-1449 FORM;
4. DOCUMENTS (10)
5. CERTIFICATE OF MAILING; and
6. POSTCARD

☐ Applicant hereby petitions for an extension of time under 37 CFR 1.136 of:

☐ One Month (\$ 120.00)

☐ Two Months (\$ 450.00)

☐ Three Months (\$1020.00)

☐ Four Months (\$1590.00)

The total fee believed due is \$0.00. Please charge this amount and any other fees which may be due (including filing fees under 37 CFR 1.16 and processing fees under 37 CFR 1.17) to Deposit Account No. 01-1350. If an extension of time is required but has not been requested above, Applicant hereby petitions for an extension of time sufficient for the attached document(s) to be timely. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

*Susan Hess*

Susan Hess  
Attorney for Applicant(s)  
Reg. No.: 37,350

Akzo Nobel Inc.  
Intellectual Property Department  
7 Livingstone Avenue  
Dobbs Ferry, NY 10522-3408  
Tel No.: (973) 422-7474



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**INFORMATION DISCLOSURE STATEMENT**

In accordance with the requirements of 37 CFR §1.56, applicants submit the documents attached hereto. Pursuant to the United States Patent and Trademark Office, OG Notice 05 August 2003, applicants have excluded the two (2) U.S. patent documents from the attachment. A listing of said documents on form PTO-1449 is also attached. All documents listed on the PTO-1449 are to be made of record in the above-identified case.

The present Information Disclosure Statement is being filed prior to the mailing date of the First Office Action; therefore, no filing fee is believed to be required. If a filing fee is required, the Commissioner is hereby authorized to charge applicants' deposit account 01-1350 for the full amount of said fee.

International Patent Application No. WO 01/23345 is not in the English language; however an English language abstract is included.

This Statement is not intended to represent that no better art exists. Applicants reserve the right to contest the applicability of the documents attached hereto as prior art in the event that any information is discovered which demonstrates that said documents do not qualify as prior art.


Consideration of the present Information Disclosure Statement is respectfully requested. The claimed invention is, however, deemed to represent a patentable departure from the teachings of the prior art.

Respectfully submitted,



Susan Hess  
Attorney for Applicant(s)  
Reg. No.: 37,350

Akzo Nobel Inc.  
Intellectual Property Department  
7 Livingstone Avenue  
Dobbs Ferry, NY 10522-3408  
Tel No.: (973) 422-7474

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)				<b>Atty. Docket #</b>  2003.796 US		<b>Serial No.</b>  10/564,193	
 PTO-1449 (modified)				<b>Applicant</b> J. H. Wieringa et al.			
				<b>Filing Date</b> January 6, 2006		<b>Group Art Unit</b>	
<b>U.S. PATENT DOCUMENTS</b>							
Init	Document No.	Issue Date	Name	Class	Subclass	Filing Date	
	4,062,848	12-1977	van der Burg	260	268 PC		
	6,376,668	04-2002	lishi et al.	544	360		
<b>FOREIGN PATENT DOCUMENTS</b>							
	Document No.	Publ. Date	Country	Class	Subclass	Translation	
						Yes	No
	WO 99/25356	05-1999	PCT International	A61K	31/55		
	WO 00/62782 A1	10-2000	PCT International	A61K	31/55		
	WO 01/23345	04-2001	PCT International (with English Abstract)	C07C	215/30		X
	WO 01/58453	08-2001	PCT International	A61P	25/20		
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)</b>							
	International Search Report No. PCT/EP2004/051357 dated December 1, 2004.						
	Selditz, U. et al., "Direct enantiomeric separation of mianserin and 6-azamianserin derivatives using chiral stationary phases," Journal of Chromatography A., Vol. 803, No. 1-2 (1998) pp. 169-177.						
	O'Connor, W. T. et al., "Effect of Chronic Administration of the 6-AZA Analogue of Mianserin (Org. 3770) and its Enantiomers on Behaviour and Changes in Noradrenaline Metabolism of Olfactory-Bulbectomized Rats in the 'Open Field' Apparatus," Neuropharmacology, Vol. 25, No. 3 (1986) pp. 267-270.						
	Kooyman, A. R. et al., "Interaction between Enantiomers of Mianserin and ORG3770 AT 5-HT <sub>3</sub> Receptors in Cultured Mouse Neuroblastoma Cells," Neuropharmacology, Vol. 33, No. 33/4 (1994) pp. 501-507.						
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
/Noble Jarrell/ (03/11/2008)							

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N.J./

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  PTO-1449 (modified)				Atty. Docket # 2003.796 US		Serial No. 10/564,193	
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				Filing Date January 6, 2006		Group Art Unit	
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Init	Document No.	Issue Date	Name	Class	Subclass	Filing Date	
<b>FOREIGN PATENT DOCUMENTS</b>							
	Document No.	Publ. Date	Country	Class	Subclass	Translation	
						Yes	No
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)</b>							
De Boer, Th., et al., "Neurochemical and Autonomic Pharmacological Profiles of the 6-AZA-Analogue of Mianserin, Org 3770 and its Enantiomers," Neuropharmacology, Vol. 27, No. 4 (1988) pp. 399-408.							
Gower, A. J. et al., "Pharmacological Evaluation of In Vivo Tests for $\alpha_2$ -Adrenoceptor Blockade in the Central Nervous System and the Effects of the Enantiomers of Mianserin and its Aza-analog ORG 3770," Vol. 291, (1988) pp. 185-201.							
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
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